

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Michael D. Laufer  
SERIAL NO.: 10/735,349  
FILING DATE: December 11, 2003  
TITLE: FAT REMOVAL AND NERVE PROTECTION DEVICE AND METHOD  
EXAMINER: Unassigned  
TELEPHONE: Unassigned  
FAX: Unassigned  
ART UNIT: 3743

**CERTIFICATE OF MAILING**

I hereby certify that this paper is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450, on the date printed below:

Date: 02/11/05

Name: Ruth Rodriguez

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**REQUEST TO CORRECT INVENTORSHIP UNDER 37 CFR 1.48(b)**

Dear Sir:

This paper is responsive to the Notice To File Missing Parts mailed **December 8, 2004** stating that the signature of Jeffrey P. Wall was missing from the declaration.

On May 3, 2004, a communication was filed with the Patent and Trademark Office stating that Jeffrey P. Wall was erroneously included as an inventor. (Exhibit A).

Applicants hereby requests that inventor Jefferey P. Wall be deleted as an inventor since the inventor's invention is no longer being claimed in the above-referenced patent application. A

02/14/2005 DTESSEM1 00000073 10735349

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SV# 193494

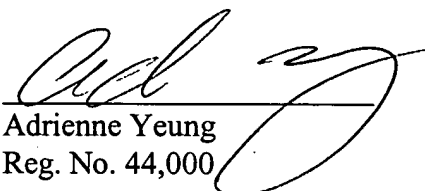
processing fee under 37 CFR 1.17(i) is hereby included. It is respectfully asserted that the application is now in condition for examination.

Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Please charge any additional required fee or credit any overpayment not otherwise paid or credited to our deposit account No. 50-1698.

Respectfully submitted,  
THELEN REID & PRIEST, LLP

Dated: January <sup>2</sup>/<sub>7</sub>, 2005

  
Adrienne Yeung  
Reg. No. 44,000

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Patent  
Attorney's Docket No. 033421-020

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of	)	
	)	
Michael D. Laufer et al.	)	Group Art Unit: 3743
	)	
Application No.: 10/735,349	)	Examiner: Unassigned
	)	
Filed: December 11, 2003	)	Confirmation No.: 3758
	)	
For: FAT REMOVAL AND NERVE	)	
PROTECTION DEVICE AND	)	
METHOD	)	
	)	

**COMMUNICATION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

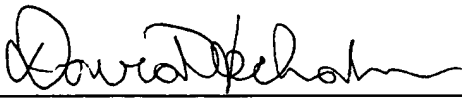
Sir:

Please be advised that Jeffrey P. Wall was erroneously included as an inventor in the subject application. Please update the Official Filing Receipt to reflect this change.

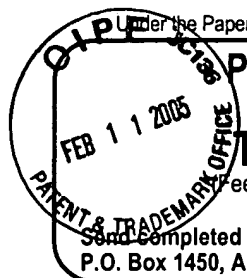
Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Date: May 3, 2004

By:   
David R. Heckadon  
Registration No. 50,184

P.O. Box 1404  
Alexandria, Virginia 22313-1404  
(650) 622-2300

**PROCESSING FEE**

Under 37 CFR 1.17(i)

**TRANSMITTAL**

Fees are subject to annual revision)

Send completed form to: Commissioner for Patents  
P.O. Box 1450, Alexandria, VA 22313-1450

Application Number	10/735,349
Filing Date	12/11/03
First Named Inventor	Michael D. Laufer
Art Unit	Unknown
Examiner Name	Unknown
Attorney Docket Number	036565-018

Enclosed is a paper filed under 37 CFR 1.48(b) that requires a processing fee (37 CFR 1.17(i)).  
Payment of \$ 130 is enclosed.

This form should be included with the above-mentioned paper and faxed or mailed to the Office using the appropriate Mail Stop, if applicable. For transmittal of petition fees under 37 CFR 1.17(f), (g) or (h), see form PTO/SB/17p.

**Payment of Fees** (small entity amounts are NOT available for the petition fees)

- ☐ The Commissioner is hereby authorized to charge the following fees to Deposit Account No. \_\_\_\_\_  
☒ processing fee under 37 CFR 1.17(i) ☒ any deficiency of fees and credit of any overpayments

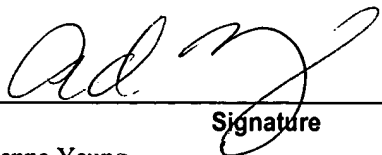
Enclose a duplicative copy of this form for fee processing.

- ☒ Check in the amount of \$ 130 is enclosed.  
☐ Payment by credit card (Form PTO-2038 or equivalent enclosed). Do not provide credit card information on this form.

**Processing Fees under 37 CFR 1.17(i): Fee \$130 Fee Code 1808 for all,  
 Except for § 1.221 papers (Fee Code 1803)**

For papers filed under:

- § 1.28(c)(3) - for processing a non-itemized fee deficiency based on an error in small entity status.
- § 1.41 - for supplying the name or names of the inventor or inventors after the filing date without an oath or declaration as prescribed by § 1.63, except in provisional applications.
- § 1.48 - for correcting inventorship, except in provisional applications.
- § 1.52(d) - for processing a nonprovisional application filed with a specification in a language other than English.
- § 1.53(b)(3) - to convert a provisional application filed under § 1.53(c) into a nonprovisional application under § 1.53(b).
- § 1.55 - for entry of late priority papers.
- § 1.99(e) - for processing a belated submission under § 1.99.
- § 1.103(b) - for requesting limited suspension of action, continued prosecution application (§ 1.53(d)).
- § 1.103(c) - for requesting limited suspension of action, request for continued examination (§ 1.114).
- § 1.103(d) - for requesting deferred examination of an application.
- § 1.217 - for processing a redacted copy of a paper submitted in the file of an application in which a redacted copy was submitted for the patent application publication.
- § 1.221 - for requesting voluntary publication or republication of an application. **Fee Code 1803**
- § 1.291(c)(5) - for processing a second or subsequent protest by the same real party in interest.
- § 1.497(d) - for filing an oath or declaration pursuant to 35 U.S.C. 371 (c)(4) naming an inventive entity different from the inventive entity set forth in the international stage.
- § 3.81 - for a patent to issue to assignee, assignment submitted after payment of the issue fee.

  
 Signature

Adrienne Yeung

Typed or printed name

2/7/05  
 Date

44,000

Registration No., if applicable

This collection of information is required by 37 CFR 1.17. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 5 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS: SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.